IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

OP.No. 4677 of 2003(F)

PETITIONERS:
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1. **PRABHAKARAN P.V.**
   S/O. MADHAVAN P.V., P.O.RAMANTHALI,
   KANNUR DISTRICT.

2. **NAINA VASU P. D/O. P.V.VASU,**
   'NAVYAM', HOSDURG BEECH, P.O.KANHANGAD,
   KASARGOD DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   SECRETARY TO GOVERNMENT, DEPARTMENT OF
   GENERAL EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM

2. **KERALA PUBLIC SERVICE COMMISSION,**
   REP.BY THE SECRETARY, KERALA PUBLIC SERVICE
   COMMISSION, PATTOM, THIRUVANANTHAPURAM.

3. **DEPUTY DIRECTOR OF EDUCATION,**
   KASARGOD.

4. **THE DISTRICT OFFICER, KERALA PUBLIC**
   SERVICE COMMISSION, KASARAGOD.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC
GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.CMP. NO.8340/2003 IN IA.1556/04, IA.NO.15026/04, I.A. 1289/04 , IA.3356/06 IN OP. NO.4677/2003

DISMISSED

14.03.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE CHART SHOWING THE RECRUITMENT THROUGH THE PUBLIC SERVICE COMMISSION HITHERTO.

EXT.P2:- COPY OF THE LIST OF 13 VACANCIES PRODUCED IN OP. NO.1331/2003.

EXT.P3:- COPY OF THE ORDER DT. 15.1.03 IN CMP. NO.2557/03 IN OP. 1331/2003.

EXT.P4:- COPY OF THE LIST SHOWING THE POSITION REGARDING THE APPOINTMENTS MADE FROM THE RANK LIST FROM VARIOUS COMMUNITIES.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P.No.4677 of 2003

Dated this the 14th day of March, 2007

JUDGMENT

Petitioners claim that they are entitled to be appointed as H.S.A (Natural Science) on the principle of communal rotation. During the pendency of the writ petition the first petitioner got appointment. The ranked list expired on 4-2-2004. At paragraph 5 of the additional counter affidavit filed on behalf of respondents 2 and 4, it is stated as follows:-

> "5. While filling up candidates against the above vacancies there arose 2 Viswakarma turns viz. MRI 100V & MRII 20V. The turn MRI 100V was filled up as, MRI 100V NCA compensation to MRI 66M and the turn MRII 20V was filled up by advising the first petitioner viz., Prabhakaran P.V. On 28-10-2003. The turn of Dheevara did not arise while advising candidates against the vacancies reported and hence the second petitioner Smt.Naina Vasu.P. Was not advised."

In case the second petitioner has any dispute on the fact as stated above, she may approach the Public Service Commission.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.4677/2003

JUDGMENT

14th March, 2007